

CITY OF EL PASO, TEXAS
DEPARTMENT HEAD'S SUMMARY REQUEST FOR COUNCIL ACTION (RCA)

DEPARTMENT: **Human Resources**

AGENDA DATE: **11/01/05**

CONTACT PERSON/PHONE: **Human Resources, Linda Ball Thomas, (915) 541-4509**

DISTRICT(S) AFFECTED: **All**

SUBJECT:

APPROVE: Introduction of an Amendment to Ordinance 8064, (Classification and Compensation Plan)

BACKGROUND / DISCUSSION:

Upon approval, this amendment to Ordinance 8064 (Classification and Compensation Plan) will update provisions to conform with recently revised Civil Service Rules Nos. 5 and 29; to streamline and clarify existing provisions and procedures covered by these sections; and to create a new procedure for resolving employee complaints pertaining to the application of this ordinance.

PRIOR COUNCIL ACTION:

Ordinance 8064 was last amended by the City Council on September 13, 2005 (Ordinance no. 16161)

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Enter appropriate comments or N/A

*******REQUIRED AUTHORIZATION*******

LEGAL: (if required) EH

FINANCE: (if required) _____

OTHER:

(Example: if RCA is initiated by Purchasing, client department should sign also)

Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO REVISE SECTIONS 2 (CLASSIFICATION PLAN), 3 (COMPENSATION PLAN), 5 (CONDITIONS OF EMPLOYMENT) AND 6 (ADJUSTMENT OF EMPLOYEE COMPLAINTS FOR CLASSIFICATION AND COMPENSATION PURPOSES); TO UPDATE PROVISIONS TO CONFORM WITH RECENTLY REVISED CIVIL SERVICE RULES NOS. 5 AND 29; TO STREAMLINE AND CLARIFY EXISTING PROVISIONS AND PROCEDURES COVERED BY THESE SECTIONS; AND TO CREATE A NEW PROCEDURE FOR RESOLVING EMPLOYEE COMPLAINTS PERTAINING TO THE APPLICATION OF THIS ORDINANCE.

WHEREAS, the Civil Service Commission and the City Council have made certain revisions to several of the Rules, which now necessitate that revisions be made to relating provisions in Ordinance 8064, so that the provisions of this ordinance conform to the Rules; and

WHEREAS, many of the subsections of the ordinance contain outdated procedures that are in need of updating, streamlining and clarification.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Section 2. Any other provisions of Ordinance 8064 relating to job classification or job specifications which conflict with these provisions are hereby rescinded.

Section 3, 5 & 6. All ordinances or parts of ordinances pertaining to the Classification and Compensation Plan which are in conflict with this ordinance heretofore issued are hereby repealed.

Section 2. CLASSIFICATION PLAN

The Classification Plan in use by the City when this ordinance is adopted shall be the official Classification Plan of the City of El Paso.

The Classification Plan consists of three basic parts, as follows:

1. A listing of established job classes and written job specifications to describe these job classes.
2. A system for keying all covered positions into the Plan, so that each position can be suitably identified.

3. Rules and procedures for keeping the classification Plan up-to-date.

2.1 ALPHABETICAL LISTING OF CLASSES

The alphabetical listing of job classes in use by the City when this ordinance is adopted shall be the official listing of established job class titles with their corresponding codes and grades which are hereby adopted as covering the positions included in the classification Plan. The Human Resources Department shall be responsible for maintaining Appendix "A" following any classification changes.

2.2 ADOPTION OF CLASS SPECIFICATIONS

The job specifications describing the typical duties and defining the minimum requirements for all positions in the classified service currently adopted and in use by the City are hereby adopted.

A) The title of each class specification shall be the official designation of the class of positions to which it is assigned.

B) Each of the job specifications will include a general purpose statement that has a definition of the distinguishing characteristics of each class of positions in the Plan. It shall indicate and be construed as setting forth in general terms only the scope of responsibility or responsibilities delegated and the inherent kind or kinds of work to be performed by employees in the job class, as well as the type of supervision received from above, if any, and the extent of authority exercised over others, if any.

C) The job class specifications shall describe typical duties that may be assigned. The duties listed are to be construed as setting forth examples representative of specific operations and services usually and customarily performed by employees in the class of positions that involve the competent application of the normally required knowledge, abilities and skills. It is not to be assumed that each example listed will be performed by all employees within the job class nor that any one employee therein will perform only the examples listed. The example of duties are illustrative only with respect to the class of positions as a whole and do not prescribe the duties of any employee holding a position therein. Department Heads shall have the right to assign employees to duties not included in the list of duties performed, provided such duties are similar in nature to those described, and utilize knowledge, abilities and skills of comparable scope or level to those required. In addition, Department Heads shall also have the right to assign employees to common miscellaneous duties not explicitly described when necessary for such organizational effectiveness and efficiency purposes as sustaining and balancing work flow, and developing employee capabilities. These general incidental assignments do not exceed the bounds of the job class to which the incumbent's position has been allocated.

They include, but are not limited to the following examples:

- Temporarily substitute on designated aspects of work of absent employees as qualified.
- Impart functional knowledge to less experienced employees.
- Participate in special projects or represent the organization on ad hoc committees.

- Engage in selected responsibilities of other positions under closer than normal supervision for training purposes.
- Record and report status and results of activities.
- Maintain workplace, tools, equipment and materials in clean, orderly, safe and operable conditions.

D) The minimum qualifications in the job specifications shall be the basis for the admission or rejection of applicants to examinations for the respective job classes in the Plan.

E) Additions, deletions and revisions of the job specifications that do not affect the arrangement or rearrangement of a position or office into a class, subdivision or grade shall be made upon the authorization of the City Manager or his/her designee. Additions, deletions or revisions that affect the arrangement or rearrangement of a position or office into a class, subdivision or grade, shall be made upon the recommendation of the City Manager or the Human Resources Director by amendments made through resolution, upon approval of the Civil Service Commission and City Council. (Passed 4/6/04/ Amended 3/15/05)

2.3 ALLOCATION OF POSITIONS TO JOB CLASSES

Each position in the classified service shall be evaluated and allocated by the Human Resources Department, submitted to the Civil Service Commission for approval and then to City Council for final approval in accordance with the rules of the Civil Service Commission.

2.4 STAFFING TABLE CHANGES

Requests for additions or deletions of positions within departments shall be submitted to the Human Resources Department. The Human Resources Department, after review of the request in cooperation with the Office of Management and Budget, will submit a recommendation to the City Manager or his or her designee who will make the final determination on the request. Any changes will be recorded in the Human Resources Department in a position control summary listing of all City departments.

2.5 MAINTENANCE OF THE CLASSIFICATION PLAN

The Human Resources Department shall be responsible for the administration and maintenance of the Classification Plan.

Section 3. COMPENSATION PLAN

The Compensation Plan consists of the Salary Schedules for General Services, Executive, Professional/Managerial and other positions in the classified service not covered by a collective bargaining agreement. (Amended 8/30/88)

The Compensation Plan shall provide pay ranges according to varying levels of responsibilities and duties. It shall establish the value of jobs to the City organization and identify levels of compensation, including the minimums and maximums of the pay structure. Analyses of available wage and survey data shall be used to determine the level at which the City must compete in the labor market. Based on these analyses the Human Resources Department will recommend pay schedule adjustments to City Administrators for review and recommendation to City Council.

3.1 SALARY SCHEDULE

Appendix "B" (Salary Schedule) is contains the listing of salary range minimums, midpoints and maximums as adopted. The Human Resources Department shall maintain an updated Appendix "B" following any range adjustments. (Amended 04/30/96)

A) The base salaries or rate of pay prescribed in this section are determined on the basis of full-time employment (40 hours per week). A regular workweek schedule of less than the number of hours of full-time employment shall be considered as part-time employment and the compensation, therefore, shall be for the actual number of hours worked at the hourly rate prescribed for the job class.

B) The salaries or rates of pay prescribed in this section shall be deemed to include pay for regular full-time service in every form, except pay for the use of personally owned equipment which is required to be furnished by the employee or for reimbursement of necessary expenses authorized and incurred incident to employment.

3.2 PROCEDURES FOR ADVANCEMENT WITHIN PAY GRADE

A) Each pay grade has an entry pay rate and a maximum pay rate. Advancement to the maximum pay rate for the job class shall be as provided in Rule 5, Section 1 of the Civil Service Commission Rules. (Amended 9/15/92 and 2/1/94)

B) An employee shall become eligible for advancement in accordance with Rule 5 and the percentage of any increases shall be set in the budget resolution adopted for the fiscal year in which the increase is awarded.(Amended 3/22/88, 9/17/91 and 2/1/94)

3.3 ADMINISTRATION AND MAINTENANCE OF COMPENSATION PLAN

The Human Resources Director shall be responsible for the administration and maintenance of the Compensation Plan. The Plan will include, but shall not be limited to: the classification and allocation of positions, the processing of salary advances, the determination of starting rates and initiation of necessary revisions of any salary schedules as adopted by City Council on the basis of changes in the relative value of duties and requirements of positions, changes in the prevailing salaries and cost of living, and any other factors that may be properly considered to have a bearing on the fairness and adequacy of the salary schedule.

A) The Human Resources Director shall make a salary survey as requested by the City Manager.

B) Whenever a change or amendment in the Classification and Compensation Plan affecting the arrangement of positions into classes, subdivisions or grades has been reviewed and recommended by the Civil Service Commission, the Human Resources Director shall submit the necessary reports and recommendations to City Council. Such recommendations shall take effect when approved by the City Council.

3.4 APPLICABLE SALARY RATE UNDER FOLLOWING CONDITIONS:

The following directions are to be observed in fixing the compensation of incumbents of positions under the following conditions:

A) Reinstatement from Layoff. When an employee is reinstated to duty in the same classification after separation from the City due to layoff, such employee shall be reinstated to the same pay rate received at the time of separation adjusted for any general increases, if applicable. (Passed 1/25/94; Amended 2/1/94)

B) Reinstatement from Resignation. When an employee is reinstated to duty in the same classification after separation from the City due to resignation and subsequent reinstatement, such employee shall be reinstated at the entry-level pay rate of the classification. (Passed 1/25/94; Amended 2/1/94)

C) Promotion. When an employee is promoted from one class to a higher class of positions, such employee shall receive a salary increase as provided in the rules of the Civil Service Commission. (Amended 12/19/89 and 9/15/92)

D) Upgrades and Reclassifications to Higher Classes. If an employee remains in a position which has been upgraded or reclassified to a higher graded class, the employee's rate of pay will be determined in accordance with the rules and provisions governing promotion. (Amended 9/17/91)

E) Downgrades and Reclassifications to Lower Grades. If an employee's rate of pay falls within the new pay range assigned to a position that has been reclassified or downgraded, the employee's salary will be maintained within the new pay range. If the employee's rate of pay is above the highest rate for the new pay range, the employee's salary will be set in accordance with the Civil Service Commission Rules. (Amended 9/17/91)

F) Demotion.

1. Non-disciplinary: If an employee is demoted for non-disciplinary reasons and his or her rate of pay at the time of demotion is within the new pay range, the employee's salary will be maintained within the new pay range. If the employee's rate of pay is above the new pay range, the employee's rate of pay will be reduced to the maximum pay rate for the classification to which demoted. (Passed 1/25/94; Amended 2/1/94)

2. Disciplinary: If an employee is demoted for disciplinary reasons, (s)he shall have his/her salary reduced to a pay rate in the new pay range that is 5% below the rate of pay at the time of demotion provided that the rate of pay is not greater than the

maximum pay rate for the classification to which demoted. (Passed 1/25/94; Amended 2/1/94)

G) Lateral Transfer or Reclassification to Same Grade. Whenever an employee receives a lateral transfer from one position to a different position with the same pay range, the employee shall continue to receive the same salary rate as prior to the transfer.

H) Competitive Reassignment. If an employee is competitively reassigned to a position in the same or lower pay grade as the position from which he or she was reassigned, the employee's new pay rate will be determined as follows:

1. Person whose salary falls within the assigned pay range of the new position will receive no adjustment in salary amount.
2. Persons whose salary exceeds the assigned pay range of the new position will receive a salary reduction to the maximum rate within the new range. Salary reduction will be immediate upon appointment to the new position.

3.5 COMPENSATION FROM DIFFERENT SOURCES

In any case in which part of the compensation for services, exclusive of overtime services, is paid either by another department or an outside agency such as the County, State or the Federal Government, any such payment shall be deducted from the employee concerned, to the end that the actual compensation paid to any employee from all sources combined, for any period, shall not exceed the amount payable at the rate prescribed for the class of positions to which the employee is assigned.

3.6 LONGEVITY PAY - (Amended 12/30/91)

A) Each permanent, full-time employee in the classified service, and each permanent, full-time employee in the unclassified service who is federally grant funded, and each unclassified Department Head not receiving longevity pay under Section 141.032, Local Government Code, Vernon's Texas Codes Annotated, shall receive on the anniversary date of his or her original appointment to a permanent, full-time position in the City service, an additional monthly sum equal to the amount provided for an employee entitled to receive monthly longevity pay under Section 141.032 cited above unless modified by Collective Bargaining agreement. (Amended 10/20/87)

B) Where a break in service occurs, other than for reasons of lay off or job abolishment due to reduction in force, longevity credits accrued prior to the break in service shall not be counted for the purpose of this Ordinance in case of subsequent reinstatement or appointment.

C) Longevity payments made under his ordinance will be made on a bi-weekly basis.

3.7 PAY FOR AUTHORIZED USE OF PERSONALLY OWNED VEHICLE/TOOLS

A) If an employee who does not receive an executive vehicle allowance is required in writing by the Department Head and authorized by the City Manager to use his or her personally owned automobile in the performance of duties of his or her position, payment for such use shall be on the basis of cents per mile. Payment shall be made at least monthly in accordance with reports and certifications required by Financial Services. A fixed amount may be paid monthly in lieu of the above mileage reimbursement with the approval of the City Manager or his or her designee. The rate of mileage reimbursement will be established by a resolution approved by the City Council once every year. (Amended 3/15/05)

B) If an employee is required, in writing, by a Department Head to use his or her personally owned tools in the performance of the duties of his or her position, payment for the supplying of such tools shall be on the basis of quarterly tool allowances to be paid to the employee. Such allowance is to be used for the replacement of broken and damaged tools and for purchasing new tools to facilitate the performance of the employee's job. The Department Head may request receipts as proof that the employee actually purchased the tools. The rate of the tool allowance to be paid quarterly will be established by a resolution approved by City Council once each year. (Passed 06/07/88/ Amended 3/15/05)

3.8 PAYMENT OF MONIES DUE IN CASE OF DEATH

A) Any employee may, by written notice filed with the Human Resources Director, designate a person or persons to whom, in case of one's death, payment shall be made of any amounts due for services (including unused vacation credits). The employee may withdraw or change this designation without the consent of the person designated.

B) If no such designation is filed, and if no application has yet been made for the probate of a Will or for administration of the estate, such payment shall be made to the employee's spouse. If there be no spouse, the amount shall be paid to such of the children as are of lawful age. If there be no such children, the amount shall be paid to the executor or administrator of his estate upon application.

C) Any person receiving payment under Paragraph B of this section, shall sign an agreement to indemnify the City against all claims asserted by others by the making of such payments.

3.9 EXECUTIVE COMPENSATION PLAN

A) The Executive Compensation Plan shall include directors of all departments, assistant directors of all departments and all other positions set forth in Appendix A.

B) The salary schedules of the Plan shall consist of salary ranges, with a minimum and maximum for each range in accordance with Appendix B. Assignment of job classes within the salary schedule shall be approved by the Civil Service Commission with concurrence of City Council.

C) The entry salary for any person covered under the Plan shall be determined by the City Manager but normally shall be no greater than the midpoint of the range for that position; however, an applicant or employee for a Department Head or higher level position may be hired or promoted up to the third quartile of the range in accordance with Rule 4 Section 4, of the Civil Service Commission Rules and Regulations. (Passed 1/25/94; Amended 2/1/94, 3/15/05)

D) At any time that any position in the Executive Compensation Plan needs to be reevaluated, such reevaluation will be done in accordance with Rule 4 , Section 4 of the Civil Service Commission Rules.

E) Any increase in salary for those employees covered in the Executive Compensation Plan shall be in the percentage set in the budget resolution adopted for the fiscal year in which the increase is awarded and shall be based on the criteria established in Rule 5, Section 1, of the Civil Service Commission Rules. (Amended 9/15/92 and 2/1/94)

F) Employees in the Executive Compensation Plan shall be evaluated annually on the employee's class entry anniversary date, as set forth in Rule 14 of the Civil Service Commission Rules. (Amended 2/1/94)

G) All Department Heads and Assistant Departments Heads covered in the Executive Compensation Plan shall not at any time receive a base salary less than the base salary received by any subordinate supervised or directed. Salaries for such Department Heads and assistant Department Heads shall be set at a minimum of 5% over the annual base salary of the subordinates supervised or directed.

H) Any other provisions of Ordinance 8064 relating to compensation which conflicts with these provisions shall not apply to those persons covered in the Executive Compensation Plan. (Passed 12/18/84)

3.10 PROFESSIONAL/MANAGERIAL PLAN

A) The Professional/Managerial Plan shall include classes within professional and managerial functions as set forth in Appendix A.

B) The salary schedules of the plan shall consist of salary levels, with minimum and maximum pay rates for each level, in accordance with Appendix B attached hereto and incorporated herein. Assignment of classes within the salary schedule shall be approved by the Civil Service Commission with concurrence of City Council.

C) The entry salary of any person covered under the plan shall normally be at the entry rate; however, an applicant or employee may be hired or promoted at a higher rate in accordance with Rule 5, Section 5, of the Civil Service Rules. (Amended 11/1/94)

D) At any time that any position in the Professional/Managerial Compensation Plan needs to be re-evaluated, such re-evaluation will be done in accordance with Rule 4, Section 4 of the Civil Service Commission Rules.

E) Any increases in salary for those employees covered in the Professional/Managerial Plan shall be in the percentage set in the budget resolution adopted for the fiscal year in

which the increase is awarded and shall be based on the criteria established in Rule 5, Section 5 of the Civil Service Commission Rules. (Amended 9/15/92 and 2/1/94)

F) Employees in the Professional/Managerial Compensation Plan shall be evaluated annually on the employee's class entry anniversary date in accordance with the standards approved by the Civil Service Commission, and the standards set forth in Rule 14 of the Civil Service Commission Rules. (Amended 2/1/94)

G) Any other provisions of Ordinance 8064 relating to compensation which conflicts with these provisions shall not apply to those persons covered in the Professional/Managerial Compensation Plan. (Passed 08/30/88)

3.11 SHIFT DIFFERENTIAL

A) If an employee is required to work hours at other than the normal daytime hours, he/she shall be entitled to a shift differential in addition to the regular rate of pay. (Amended 4/10/90)

B) Such differential shall be a flat cents per hour amount added to the employee's regular rate:

⇒ The evening shift differential shall be 15¢ per hour for all regular hours worked if the employee is required to work at least four hours between the hours of 4 p.m. and 12 midnight.

⇒ The graveyard shift differential shall be 30¢ per hour for all regular hours worked if the employee is required to work at least four hours between the hours of 12 midnight and 8 a.m.

⇒ Employees whose work hours fall into both evening and graveyard shifts shall be paid the shift differential corresponding to the shift on which the majority of hours were worked. If the employee's work shift is divided evenly between the evening and graveyard shifts that is from 8 p.m. to 4 a.m., shift differential for four hours will be paid at 15¢ per hour and four hours at 30¢ per hour.

C) Shift differential pay will not be paid for hours not worked.

D) Shift differential will not be paid to exempt employees or to seasonal temporary employees, except as may be authorized by the City Manager.

E) Shift differential payments made under this section will be made on a bi-weekly basis.

F) The effective date of this ordinance is January 21, 1990 At 12:01 a.m.

Section 5. CONDITIONS OF EMPLOYMENT

5.1 GENERAL REQUIREMENTS

A) Citizenship. In accordance with the Immigration Reform and Control Act of 1986, the City of El Paso shall only hire citizens or intending citizens, as these terms are used in the Act, for positions within the City of El Paso. The City shall not discriminate because of an

individual's national origin or in the case of an intending citizen because of the individual's citizenship status. If, however, a federal or state grant, law, or regulation requires only citizens to be hired, the City may discriminate as to only hiring citizens for those affected positions.

In addition, the City may hire an employee who is a citizen or lawfully admitted alien, with appropriate work permits if the two individuals are equally qualified. Any applicant or employee disqualified by the Human Resources Director under the above provisions, may appeal to the Civil Service Commission for a decision on the citizenship status.
(Amended 09/08/87)

B) Conviction of Felony or Misdemeanor. The Civil Service Commission shall no longer utilize as a basis for automatic disqualification the fact that an applicant has been convicted of a felony or misdemeanor of moral turpitude. The Commission shall, instead, consider each application separately to determine whether the basis for the conviction is "job-related," to the position which the applicant is seeking. If the Commission determines it is "job-related," the Commission may disqualify the applicant. However, if the Commission determines the conviction is not "job-related," the applicant shall then be qualified for examination.

C) Promotional Eligibility for Police and Fire Employees.

1. Service lost by reason of a suspension for cause, resignation with subsequent reinstatement or leave of absence shall not count for the minimum period of service set forth in the job specification for the position to which promotion is sought.
2. Any employee who resigns and is not reinstated, or is otherwise terminated from City service and is subsequently appointed to a position in the City service shall not be entitled to count for promotional purposes any service prior to such resignation or termination. (Amended 10/04/94)

5.2 HOURS OF WORK

A) All full-time, salaried employees shall be on a forty-hour work week, except for uniformed firefighter personnel who are subject to Paragraph (E) below. (Amended 10/03/95)

B) In order to meet operational needs, the Department Head may adjust the hours of any individual employee or group of employees to provide for different schedules of hours or for overtime services outside of regular working hours. Such adjustments shall not result in allowing less than the hours per week prescribed for full-time employment without a corresponding pro-rate decrease in salary.

C) Employees are required to comply with all time and attendance reporting procedures, including clocking in and out, as established by the City Manager and as required by their Department Heads in accordance with operational necessity or feasibility. Department Heads may require precise start and stop times to meet operational necessity.

D) Wage and hour equalization may be used for purposes of overtime compensation within a pay period, as provided for by the Fair Labor Standards Act, as amended.

E) Pursuant to and in compliance with Section 7 (K) of the Fair Labor Standards Act, as amended, all City uniformed firefighter personnel shall be on a work period of at least seven, but not more than 28 consecutive days. (Amended 8/11/87 and 10/03/95)

5.3 OVERTIME

A) All non-exempt employees, except for uniformed firefighter personnel who are subject to Section 5.2(D) above, shall be paid for authorized overtime on the basis of one and one-half times the hourly rates specified for the applicable class or position after forty hours of work per week. (Amended 10/03/95)

B) All City uniformed firefighter personnel shall be paid overtime for hours worked which, in the aggregate, exceed the number of hours established by law for their work period. The hours in such a work period shall not exceed a number of hours which bears the same ratio to the number of consecutive days in the work period as the maximum hours allowed by Section 7(K), Fair Labor Standards Act, as amended, bears to 28 days. (Amended 08/11/87 and 10/03/95)

C) Employment in excess of the hours prescribed for full-time employment shall be in accordance with the following:

1. The authorization of any overtime shall be predicated entirely on the operating needs of the department. The schedule of work and procedure prescribed by the department shall be designed to eliminate excessive or unnecessary use of overtime.
2. The authorization by the Department Head to work overtime shall be transmitted to the Human Resources Director with a statement of the facts on the necessity of such overtime work, and the payment therefore.

D) Pursuant to and in compliance with the Fair Labor Standards Act, as amended, overtime shall not be paid to those individuals employed by the City of El Paso who are elected, appointed, executive, administrative, professional, or otherwise exempted from the overtime provisions of the Fair Labor Standards Act, as amended, unless otherwise required by law.

E) The City Manager may authorize payment of overtime to those City employees exempted from overtime pay by the preceding subsections. The City employee's department head must submit a written request to the City Manager, with a copy to the Human Resources Director, requesting authorization for payment of overtime to an exempted employee. The written request shall state specifically as possible; (Amended 8/31/04)

1. the nature of the special project that the employee is to work on;
2. the need for the exempted employee's skill or expertise on the special project;
3. the need for the employee to work on the special project beyond his normal working hours;
4. the estimated length or duration of the special project; and
5. the estimated amount of overtime to be paid to the exempted employee.

Section 6. ADJUSTMENT OF EMPLOYEE COMPLAINTS FOR
CLASSIFICATION AND COMPENSATION PURPOSES

An employee shall, within thirty days from the date of occurrence, have the right to secure consideration of any complaint with respect to the application of this plan to his or her position. The employee shall first bring the grievance to his/her immediate supervisor or department head who shall promptly seek to arrive at a solution which is consistent with the classification and compensation plan and is acceptable to all parties. When the immediate supervisor or department head is unable to resolve such a complaint in a manner acceptable to the employee, a written report which includes the recommendations of the department head shall be submitted to the Human Resources Director. The Human Resources Director shall analyze the basis of the employee complaint, if the Human Resources Director sustains the complaint and determines that action is necessary to rectify the situation, he or she shall be authorized to take such action. If the Human Resources Director believes the complaint should not be sustained, he or she must submit the complaint to a Deputy City Manager or the City Manager and obtain his or her concurrence prior to determining that the complaint is not sustained.

ADOPTED this ____ day of November 2005.

THE CITY OF EL PASO

John F. Cook, Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Elaine S. Hengen
Assistant City Attorney

Joyce Wilson
City Manager